

## Message Text

UNCLASSIFIED

PAGE 01 STATE 090292  
ORIGIN L-03

INFO OCT-01 EA-09 ISO-00 SCA-01 JUSE-00 /014 R

DRAFTED BY L/M:LAHUMMER:AD

APPROVED BY L/M:KEMALMBORG

-----221444Z 063102 /47

R 212134Z APR 77

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO

UNCLAS STATE 090292

E.O. 11652: N/A

TAGS: PFOR, CPRS, JA

SUBJECT: POSSIBLE EXTRADITION REQUEST

1. GENERAL COUNSEL OF DOW CORNING CORPORATION HAS WRITTEN DEPARTMENT REQUESTING ADVICE AS TO EXTRADITABILITY OF A FORMER EMPLOYEE, NOW RESIDING IN TOKYO, WHO IS APPARENTLY IN UNAUTHORIZED POSSESSION OF PROPRIETARY INFORMATION OF DOW (SILICONE COMPOUND FORMULATIONS) AND WHO HAS ATTEMPTED TO SELL THE INFORMATION TO OTHER COMPANIES ENGAGED IN THE SILICONE INDUSTRY, INCLUDING THE SHIN-ETSU CHEMICAL INDUSTRY.

2. THE SUPPLEMENTARY EXTRADITION CONVENTION OF 1906 ADDED AS AN EXTRADITABLE OFFENSE "EMBEZZLEMENT BY PERSONS HIRED OR SALARIED, TO THE DETRIMENT OF THEIR EMPLOYERS, WHERE THE AMOUNT OF MONEY OR THE VALUE OF THE PROPERTY EMBEZZLED IS NOT LESS THAN \$200 OR 400 YEN."

3. SINCE THE SUSPECT IS A FORMER EMPLOYEE, AND SINCE THE EMBEZZLEMENT CONCERNS PROPRIETARY INFORMATION RATHER THAN MONEY OR TANGIBLE PROPERTY, ALTHOUGH IT IS UNQUESTIONABLY UNCLASSIFIED

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SOME KIND OF PROPERTY AND HAS OBVIOUS VALUE, DEPARTMENT IS NOT SURE WHETHER JAPANESE WOULD CONSIDER THE FACTS TO FALL

WITHIN THIS EXTRADITABLE OFFENSE, OR WHETHER SIMILAR FACTS CONSTITUTE A CRIME UNDER JAPANESE LAW.

4. EMBASSY IS REQUESTED TO PRESENT QUESTION TO APPROPRIATE

JAPANESE AUTHORITIES AND CABLE RESPONSE TO DEPARTMENT.  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EXTRADITION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 21-Apr-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01-Jan-1960 12:00:00 am  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE090292  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** LAHUMMER:AD  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Litigation History:**  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
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**To:** TOKYO  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009